

REMARKS

Claims 1-26 have been examined. With this amendment, Applicant adds claims 27-33.
Claims 1-33 are all the claims pending in the application.

1. Formalities

Applicant thanks the Examiner for acknowledging the claim for foreign priority and for confirming that the certified copy of the priority document has been received.

Applicant thanks the Examiner for initialing the references listed on form PTO-1449 submitted with the Information Disclosure Statements filed on September 7, 2000, and October 30, 2002.

2. Claim Objections

The Examiner has objected to claims 11, 12, and 13 because claim 11 recites links to elements in claims 1 and 2 rather than listing the elements separately.

Applicant submits that the modifications to the claims obviate the objections.

3. Claim Rejections Under 35 U.S.C. § 112

The Examiner has rejected claims 4, 6, 13, 14, 17 and 19 under 35 U.S.C. § 112, second paragraph as being indefinite.

The Examiner contends that claims 4 and 6 recite a "reception" circuit when they depend from claim 1 which is a "transmission" circuit. The Examiner appears not to have entered the preliminary amendment filed with the application that changes the dependency of claim 4 from claim 1 to claim 2.

Applicant requests that the Examiner enter the preliminary amendment. Applicant is enclosing a copy of the preliminary amendment with date-stamped receipt for the Examiner's convenience.

The Examiner contends that the recitations in claims 13 and 14 of "said codes" lack antecedent basis. The Examiner contends that claim 14 lacks antecedent basis for "said transmission circuit and reception circuit." The Examiner contends that claim 17 lacks antecedent basis for "said transmission control step" and proposes "said transmission control method."

Applicant submits that the modifications to the claims obviate the above rejections.

4. Claim Rejections Under 35 U.S.C. § 102

The Examiner has rejected claims 1-12 and 15-26 under 35 U.S.C. § 102(b) as being anticipated by Sugita (EP 0 744 840 A2) ["Sugita"]. Applicant traverses the rejection.

Applicant submits that control circuit 66 in Sugita is constantly performing calculations and thereby wasting power. An object, but not the only one, of the present invention is to reduce power consumption in mobile transmitting and receiving circuits by interrupting code generation operation during a time period in which the code is not used for transmission and reception. The starting of the code generating operation can be at any arbitrary timing.

Claim 1 recites a transmission circuit of a mobile communication terminal that comprises a "control means for writing value of each bit at an arbitrary timing of [a] code generating means, and reading the value of each bit stored in [a] storage means at an arbitrary timing to set to each corresponding bit of said code generating means." The Examiner alleges that the

claimed elements are disclosed by Sugita. The Examiner also notes that a “broad interpretation” of the claimed “arbitrary timing” was used.

Applicant submits that the Examiner’s interpretation of “arbitrary timing” is not supported by Sugita because any operation by code generator 62 in Sugita is based on a state value calculated by the code generator 62 and timer 70 (see col. 9, lines 25-28). Once set, the code generator 62 enters a “sleep state” and is turned on again by timer 70 (see col. 9, lines 29-33).

Sugita discloses that the control circuit 66 calculates the state value of code generator 62 for the next drive by the equation: $S(i+n) = G(n) * S(i)$ (col. 7, lines 6-13). Sugita also discloses that the state value of the code generator 62 is read at a periodic interval (integer times a code interval of a pilot PN code) in order to generate the state value for the next drive (see col. 6, line 52 to col. 7, line 1).

Applicant submits that the periodic interval is a constant period, therefore, code generator 62 starts up only with the constant period. Further, Applicant submits that such a system cannot reasonably be interpreted as “arbitrary timing.”

Because claims 2, 11, 15, 16, 21 and 22 recite features similar to claim 1, Applicant submits that these claims are patentable for at least the reasons given in claim 1.

Applicant submits that claims 3-10, 12, 17-20, and 23-26 are patentable at least by virtue of their respective dependencies.

5. New claims

With this amendment, Applicant adds claims 27-33. Applicant submits that these claims are patentable at least by virtue of their respective dependencies, as well as the features set forth therein.

6. Allowable Subject Matter

Applicant thanks the Examiner for finding allowable subject matter in claims 13 and 14 and indicating that they would be allowable if amended to overcome the § 112, second paragraph rejections.

Applicant submits that the amendments to claim 13 and 14 obviate the § 112, second paragraph rejections. Applicant holds rewriting claim 13 in independent form until the subject matter regarding the base claim is resolved.

7. Conclusion

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

AMENDMENT UNDER 37 C.F.R. § 1.111
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The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

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